



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/062,279	01/30/2002	Norihiro Imai	OMRNP015	9864

22434 7590 06/16/2004
BEYER WEAVER & THOMAS LLP
P.O. BOX 778
BERKELEY, CA 94704-0778

EXAMINER

ANYASO, UCHENDU O

ART UNIT PAPER NUMBER

2675

DATE MAILED: 06/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/062,279

Applicant(s)

IMAI ET AL.

Examiner

Uchendu O Anyaso

Art Unit

2675

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. **Claims 1-14** are pending in this action.

Claim Rejections - 35 USC ' 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-14** are rejected under 35 U.S.C. 102(e) as being anticipated by *Izumi* (U.S. Patent 6,219,021).

Regarding **independent claims 1, 4, 7 and 10**, *Izumi* teaches a method of controlling a backlight of a display device by teaching a display control device which allows reduction of power consumption by a backlight when data such as textual data or drawing data is displayed on a display panel with the backlight on, by changing display form of data for improving visibility of the data on a display (column 2, lines 42-49).

Furthermore, *Izumi* teaches how to provide at least one display setting group including a message to be displayed by teaching a display control device comprising a display panel for displaying data containing textual and/or drawing data; a display buffer for storing data to be displayed on the display panel; a display control section for controlling display of the display panel; a backlight for illuminating the display panel; an illumination instruction section for outputting a backlight illumination instruction; and an illumination control section for

Art Unit: 2675

controlling the illumination of the backlight according to the backlight illumination instruction from the illumination instruction section, wherein the display control section changes a display configuration of the data to be displayed on the display panel when the illumination instruction section outputs the backlight illumination instruction (column 2, lines 50-62).

Furthermore, Izumi teaches a computer program for controlling a display panel for displaying data containing at least one of textual and drawing data, a display buffer for storing the data to be displayed on the display panel, a backlight for illuminating the display panel and an illumination instruction section for outputting a backlight illumination instruction, wherein the computer program performing the functions of: causing a computer operation to control illumination of the backlight according to the backlight illumination instruction from the illumination instruction section; causing a computer operation to control display of the display panel; and causing a computer operation to change a display configuration of the data from a first configuration to a second configuration to be displayed on the display panel when the illumination instruction section outputs the backlight illumination instruction, wherein said second configuration enables a reduction in time needed to view said data as compared to said first configuration in order to reduce illumination time and corresponding battery consumption; and providing an illumination time period setting table storing a backlight illumination time period per one character and calculating an illumination time period corresponding to the number of characters of the data to be displayed on the display panel by reference to the illumination time period setting table, wherein when the illumination instruction section outputs the backlight illumination instruction, the illumination of the backlight is controlled according to the calculated illumination time period (column 13, lines 40 through column 14, lines 31).

Regarding **claims 2, 5, 8 and 11**, in further discussion of claims 1, 4, 7 and 10, Izumi teaches how the user program is stored in ROM 6 which is different from a system program memory (RAM 5) that stores a system program for the programmable controller represented by CPU 5 (figure 3 at 5-7, 13, column 6, lines 38-43).

Regarding **claims 3, 6, 9 and 12**, in further discussion of claims 1, 4, 7 and 10, Izumi teaches a display control device includes a display panel for displaying data containing textual and/or drawing data, a display buffer for storing data to be displayed on the display panel, a display control section for controlling display of the display panel, a backlight for illuminating the display panel, an illumination instruction section for outputting a backlight illumination instruction, and an illumination control section for controlling the illumination of the backlight according to the backlight illumination instruction from the illumination instruction section wherein the display control section changes a display configuration of the data to be displayed on the display panel when the illumination instruction section outputs the backlight illumination instruction (see Abstract).

Furthermore, Izumi teaches how a timer is used to determine whether the backlight is switched on or off (figure 5 at S29-S32).

Regarding **claim 13**, in further discussion of claim 10, Izumi teaches a system program memory ROM 6 that stores a system program for the CPU 5; and a user program memory 13 which is different from the ROM 6 and stores the user program (figure 3 at 5, 6, 13, column 7, lines 10-20).

Regarding **claim 14**, in further discussion of claim 4, Izumi teaches how the control command is provided to a display command that is a command to display as the message a specified data item in the user program (column 2, lines 50-63).

Response to Arguments

4. Applicant's amendments and arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

Art Unit: 2675

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uchendu O. Anyaso whose telephone number is (703) 306-5934. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Saras, can be reached at (703) 305-9720.

Any response to this action should be mailed to:


Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, 6th Floor (Receptionist). Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.


Uchendu O. Anyaso

06/08/2004


CHANH NGUYEN
PRIMARY EXAMINER